

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

Emanuel Shoulders,

Plaintiff,

v.

Case No. 1:17cv703

Z. Cherryholmes, *et al.*,

Judge Michael R. Barrett

Defendants.

**ORDER**

This matter is before the Court on the Report and Recommendation (“R&R”) filed by the Magistrate Judge on July 11, 2019 (Doc. 46).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). No objections to the Magistrate Judge’s R&R (Doc. 46) have been filed.

Accordingly, it is **ORDERED** that the R&R (Doc. 46) of the Magistrate Judge is hereby **ADOPTED**. Defendants’ Motion for Summary Judgment (Doc. 41) is **GRANTED** and plaintiff’s Motion for Summary Judgment (Doc. 37) is **DENIED**; and consistent with the recommendation by the Magistrate Judge, judgment is entered in favor of defendants with prejudice based upon plaintiff’s failure to prosecute and this matter is closed.

**IT IS SO ORDERED.**

s/Michael R. Barrett  
Michael R. Barrett, Judge  
United States District Court